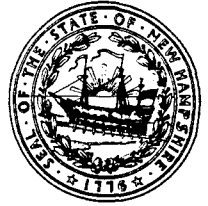




State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2457 FAX (603) 271-7894



Robert Beal
The Hampshire Inn
PO Box 2480
Seabrook, New Hampshire 03874

LETTER OF DEFICIENCY
WMB PBF 02-24
June 6, 2002

Dear Mr. Beal:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On June 3, 2002, DES inspected the following public bathing facilities at The Hampshire Inn, in Seabrook, NH: the indoor pool ("Pool") and spa ("Spa"). During this inspection the following deficiencies were noted:

1. A recommendation to close and drain the Spa was issued on June 6, 2002. The inspection on June 3, 2002 revealed that the Spa was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violation was observed in the Spa water:
 - (a) Pursuant to Env-Ws 1103.14(a)(2) the maximum allowable Heterotrophic Plate Count (HPC) in public bathing facility water is five hundred colony-forming units per one milliliter (500 cfu/mL). The Spa water contained 800 cfu/mL.
2. Env-Ws 1103.15(d) requires a pH between 7.0 and 7.8 in public pool water. The pH of the Pool water was 8.0 on June 3, 2002.
3. Env-Ws 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH, and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. Water quality is only tested and recorded once daily.
4. Env-Ws 1104.04(a) requires the following safety device to be present at all public pools: a minimum one-fourth inch diameter throwing rope as long as one and one-half times the maximum width of the pool or 50 feet, whichever is less, to which has been firmly attached a ring buoy with an outside diameter of approximately 15 inches or a similar flotation device. The ring buoy did not include a throwing rope.
5. Env-Ws 1105.01(k)(19) requires pool filtration systems to include a flow meter. The filtration system for the Pool did not include a functioning flow meter.
6. Env-Ws 1105.03(d)(2) requires spa filtration systems to include a flow meter. The filtration system for the Spa did not include a functioning flow meter.

7. Env-Ws 1103.05 requires shower facilities to be provided at all public bathing facilities. There is no shower at the Pool.
8. Env-Ws 1103.08 requires toilet facilities to be provided for both sexes and conveniently located for use. There are no toilets for use at the Pool.

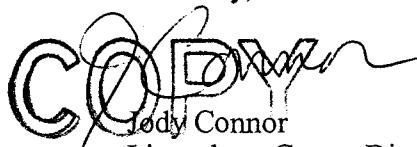
A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. The type, manufacture, and model of the flow meter(s) to be installed.
3. A timetable of when:
 - a. the safety items will be in place,
 - b. the installation of a shower will be completed,
 - c. the installation of toilets will be completed, and
 - d. the installation of the flow meter(s) will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspection in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

A handwritten signature in black ink, appearing to read "Jody Connor", is written over a large, stylized, and somewhat illegible stamp that contains the word "COPY".

Jody Connor
Limnology Center Director

cc: Mark Harbaugh, Enforcement Attorney, DES
Russell A. Nylander, P.E., Chief Engineer, WD/DES
Amy Wilson, Public Bathing Facility Coordinator, DES
Robert S. Moore, Health Officer, Town of Seabrook